

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID PAUL FARRAR,

Defendant.

CR 20–05–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on August 4, 2020. (Doc. 56.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept David Paul Farrar’s guilty plea after Farrar appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to sexual exploitation of a child in violation of 18 U.S.C. § 2251(a) and transportation of child pornography in

violation of 18 U.S.C. § 2252A(a)(1), as charged in Count I and Count XII of the Indictment, respectively.

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 56) IN FULL.

IT IS FURTHER ORDERED that David Paul Farrar's motion to change plea (Doc. 48) is GRANTED, and David Paul Farrar is adjudged guilty as charged in Counts I and XII of the Indictment.

DATED this 19th day of August, 2020.



Dana L. Christensen, District Judge
United States District Court